

BEFORE THE STATE BOARD OF REAL ESTATE APPRAISERS

STATE OF IDAHO

ORIGINAL

In the Matter of the License of:

FRANK W. RIEM,
License No. LRA-253,

Respondent.

Case No. REA-P3-01-02-005

FINAL ORDER

THIS MATTER came on for hearing on March 12, 2003, before Diane M. Tappen, the designated Hearing Officer. The State appeared in person and by its attorney of record, Cheri L. Bush, Idaho Deputy Attorney General. Respondent, Frank W. Riem, appeared in person without legal counsel. The parties presented witnesses, testimony, and documentary evidence. On May 28, 2003, the Hearing Officer submitted her Memorandum Decision and Recommended Order.

The Board, having conducted an independent review of the record and having considered all evidence and arguments of counsel presented before the Hearing Officer, the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and all other matters of record, and good cause appearing therefor, the Board unanimously adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. That the Hearing Officer's Findings of Fact and Conclusions of Law are hereby adopted and incorporated herein by reference.
2. That the Respondent's conduct, as set forth in the Hearing Officer's Findings of Facts and Conclusions of Law, has violated Idaho Code ' ' 54-4107(1)(d), (1)(e) and Board Rule 700 (IDAPA 24.18.01.700). Pursuant to Idaho Code ' ' 54-4017, 67-2609(a)(7), and IDAPA

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24.18.01.525, the Board possesses the authority to impose the following disciplinary sanctions upon the Respondent, Frank W. Riem, as set forth in this Final Order.

3. Respondent's license shall be placed upon probation for a period of six (6) months from the date of this Order. Respondent shall complete the following requirements during the probationary period: That the Respondent provides written verification to the Board of the completion of a fifteen (15) hour USPAP course. This course shall not count towards Respondent's continuing education requirements.

4. That the Respondent pay to the Board the costs and attorney's fees incurred by the Board in the investigation and prosecution of Respondent in this proceeding in the amount of Two Thousand Four Hundred Fourteen and 79/100 Dollars (\$2,414.79) within thirty (30) days from the date of this Final Order.

5. That the Respondent shall pay a fine to the Board in the amount of One Thousand Dollars (\$1,000.00) within thirty (30) days from the date of this Final Order.

6. This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code ' 67-5247(4)).

b. Pursuant to Idaho Code ' 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the

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county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (See, Idaho Code ' 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

7. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent's attorney and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 26th day of December, 2003.

STATE BOARD OF REAL ESTATE APPRAISERS

By 
Chairperson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of December, 2003, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Frank W. Riem
P.O. Box 3324
Hayden, Idaho 83835

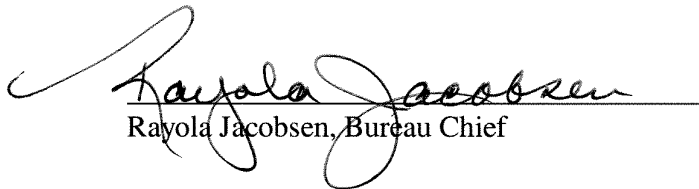
☒ Certified Mail
☒ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☐ Fax Transmission

Cheri Bush
Deputy Attorney General
Office of the Attorney General
P.O. Box 83720
Boise, Idaho 83720-0010

☐ U.S. Mail
☐ Hand Delivered
☐ Federal Express
☐ Fax Transmission

Attorneys for the State Board of Real
Estate Appraisers

☒ Statehouse Mail


Rayola Jacobsen, Bureau Chief

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